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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Safety and security of humanitarian personnel and protection of United Nations personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling its resolutions 52/167 of 16 December 1997 on the safety and security of humanitarian personnel and 52/126 of 12 December 1997 on the protection of United Nations personnel and taking note of Commission on Human Rights resolution 1998/37 of 17 April 1998,[1]

Welcoming the agreed conclusions of the 1998 humanitarian affairs segment of the Economic and Social Council,[2]

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[2] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 3* (A/53/3), chap. VII, agreed conclusions 1998/1.

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Concerned by the increasingly difficult context in which humanitarian assistance takes place in some areas, in particular the continuous erosion, in many cases, of respect for the principles and rules of international humanitarian law,

Welcoming the upcoming fiftieth anniversary of the Geneva Conventions of 12 August 1949[3] as an opportunity to raise awareness for humanitarian issues, in particular the need to promote and respect and ensure respect for the principles and rules of international humanitarian law,

Deeply concerned by the growing number of complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, in the past few years, which have dramatically increased the loss of human lives, suffering of victims and flows of refugees and internally displaced persons, as well as material destruction, which disrupt the development efforts of countries affected, in particular those of developing countries,

Taking note of the statements by the President of the Security Council of 19 June 1997[4] and 29 September 1998,[5] the report of the Secretary-General on protection for humanitarian assistance to refugees and others in conflict situations,[6] and the views expressed during the open debate at the 3932nd meeting of the Security Council on 29 September 1998, on protection for humanitarian assistance to refugees and others in conflict situations,

Welcoming the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations as a war crime in the Rome Statute of the International Criminal Court, adopted on 17 July 1998,[7] and noting the role that the Court could play in bringing to justice those responsible for serious violations of international humanitarian law,

Commending the courage and commitment of those who take part in humanitarian operations, often at great personal risk,

Strongly deploring the rising toll of casualties among humanitarian personnel and United Nations personnel in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, and strongly condemning the acts of physical violence and harassment to which those participating in humanitarian operations are too frequently exposed,

Aware that humanitarian operations are generally implemented through close cooperation among Governments and the United Nations, its agencies and other international organizations, and Governments and non-governmental organizations,

Guided by the relevant provisions on protection contained in the Convention on the Privileges and Immunities of the United Nations,[8] the Convention on the Privileges and Immunities of the Specialized Agencies[9] and the Convention on the Safety of United Nations and Associated Personnel,[10]

1. *Takes note* of the report of the Secretary-General entitled "Respect for the privileges and immunities of officials of the United Nations and the specialized agencies

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[3] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[4] S/PRST/1997/34; see Resolutions and Decisions of the Security Council, 1997.

[5] S/PRST/1998/30.

[6] S/1998/883.

[7] A/CONF.183/9.

[8] Resolution 22 A (I).

[9] Resolution 179 (II).

[10] Resolution 49/59, annex.

and related organizations: safety and security of humanitarian personnel and protection of United Nations personnel";[11]

2. *Urges* all States to take the necessary measures to ensure the full and effective implementation of the relevant principles and rules of international humanitarian law, including those related to the safety and security of humanitarian personnel and United Nations personnel;

3. *Also urges* all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations personnel, to respect and ensure respect for the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations, and to ensure the speedy release of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant conventions referred to in the present resolution and applicable international humanitarian law;

4. *Encourages* all States to become parties to and to fully respect the provisions of the relevant international instruments, including the Convention on the Safety of United Nations and Associated Personnel;[10]

5. *Calls upon* all States to provide adequate and prompt information concerning the arrest or detention of humanitarian personnel and United Nations personnel, to allow independent medical teams to investigate the health of those detained, and to afford them the necessary medical assistance;

6. *Requests* the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, to consider ways and means to strengthen the protection of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, notably by seeking the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations,[8] the Convention on the Privileges and Immunities of the Specialized Agencies,[9] and the Convention on the Safety of United Nations and Associated Personnel;

7. *Also requests* the Secretary-General to take the necessary measures, falling within his responsibilities, to ensure that security matters are an integrated part of the planning for an operation and that such precautions extend to all United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

8. *Further requests* the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed and suitably trained so as to enhance their security and effectiveness in accomplishing their functions;

9. *Calls upon* all States to consider signing and ratifying the Rome Statute of the International Criminal Court;[7]

10. *Strongly condemns* any act or failure to act which obstructs or prevents humanitarian personnel and United Nations personnel from discharging their humanitarian functions, or which entails their being subjected to threats, the use of force or physical attack frequently resulting in injury or death;

[11] A/53/501.

11. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, in countries where humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

12. *Reaffirms* the necessity for humanitarian personnel and United Nations personnel to be properly informed, *inter alia*, by their sponsoring organizations of the scope of their activities and the standards that they are required to meet, including those contained in relevant domestic and international law, and suitably trained so as to enhance their security and effectiveness in accomplishing their functions;

13. *Reaffirms* the necessity for all humanitarian personnel to respect the national laws of the countries in which they are operating;

14. *Urges* all States to ensure that any threat or act of violence committed against humanitarian personnel on their territory is fully investigated and to take all appropriate measures, in accordance with international law and national legislation, to ensure that the perpetrators of such acts are prosecuted;

15. *Welcomes* the establishment by the Secretary-General of the Trust Fund for Security of personnel of the United Nations system in the field and encourages all States to contribute to the Trust Fund;

16. *Notes* the discussions on the respect for and security of humanitarian personnel at the first periodical meeting on international humanitarian law, held at Geneva in January 1998, and of the report of the President of that meeting;

17. *Requests* the Secretary-General to present a report to the General Assembly at its fifty-fourth session on the safety and security situation of humanitarian personnel and protection of United Nations personnel and measures to be taken to improve it, taking into account the views of Governments, the Inter-Agency Standing Committee, other relevant humanitarian actors, and the United Nations Security Coordinator.